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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/666,650	09/17/2003	Seong Fong Chen	2877-4031	8495
27123	7590	03/30/2006	EXAMINER	
MORGAN & FINNEGAN, L.L.P. 3 WORLD FINANCIAL CENTER NEW YORK, NY 10281-2101			PENG, KUO LIANG	
			ART UNIT	PAPER NUMBER
			1712	

DATE MAILED: 03/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/666,650

Applicant(s)

CHEN ET AL

Examiner

Kuo-Liang Peng

Art Unit

1712

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 1/17/06 Amendment.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-10 and 12-41 is/are pending in the application.
- 4a) Of the above claim(s) 1-3 and 16-41 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 4-10 and 12-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. The Applicants' amendment filed on January 17, 2006 was received. Claims 1-3 and 16-41 are withdrawn. Claim 4 is amended. Claim 11 is deleted. Now, Claims 4-10 and 12-15 are pending for consideration.

2. Claim rejection(s) under 35 USC 102 and 103 in the previous Office Action (Paper No. 091705) is/are removed.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4-8, 10 and 12-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Podell (US 4 575 476) in view of Teoh (WO 0232475).

Podell discloses a glove coated with a layer comprising a hydrogel layer and a silicone and cationic surfactants such as N-cetyl pyridinium chloride. The glove can be made of natural or synthetic rubbers. The glove is powder-free. (col. 1, lines

Art Unit: 1712

12-19, col. 2, line 54 to col. 4, line 2 and Examples) Podell recognizes the use an ammonium phosphate surfactant. (Table 7) Podell is silent on the use of the **specific** alkyl ammonium phosphate set forth in the present invention. However, Teoh teaches the use of a surfactant composition comprising silicone, Darvan L (an alkyl ammonium phosphate) and cetyl pyridinium chloride on a layer of hydrogel. (Example 1) The motivation of using the surfactant composition comprising Darvan L is to afford a hydrogel-coated glove with excellent anti-tack properties. In light of the benefit mentioned, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate Darvan L to Podell's surfactant composition with expected success. Especially, Teoh is in the same field as that of Podell's endeavor.

5. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Podell in view of Teoh as applied to Claims 4-8, 10 and 12-15 above, and further in view of Yeh (US 6 347 408).

The difference between Podell in view of Teoh and the present invention is the requirement of the specific polymer blend set forth in the instant claim.

Yeh teaches a glove containing an elastomeric layer made of a blend containing at least two of natural rubber, nitrile, polyisoprene, etc. (col. 2, lines 15-

Art Unit: 1712

21). The motivation of using the blend is to afford a glove with various properties. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to utilize a blend of at least two of natural rubber, nitrile, polyisoprene, etc. Especially, Yeh is in the same field as that of Podell's endeavor.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kuo-Liang Peng whose telephone number is (571) 272-1091. The examiner can normally be reached on Monday-Friday from 8:30 AM to 5:00 PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Randy Gulakowski, can be reached on (571) 272-1302. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair->

Art Unit: 1712

direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

klp  
March 27, 2006

  
Kuo-Liang Peng  
Primary Examiner  
Art Unit 1712